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PINK HATS AND BLACK FISTS: THE ROLE OF WOMEN IN THE BLACK LIVES MATTER MOVEMENT

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On January 21, 2017, nearly five hundred thousand people, many adorned in pink, cat-eared “pussyhats,” descended on Washington, D.C.—the flagship location for the official “Women’s March.”¹ In total, 673 “sister” marches took place across the seven continents, including Antarctica.² An estimated five million people participated worldwide, and the March was the largest single-day protest in United States history.³

One photo from the March belies the purported unity. In that photo, Angela Peoples, a Black woman, stands unbothered in a crowd of smiling White women wearing pink “pussyhats.”⁴ Ms. Peoples’ cap reads “Stop Killing Black People;” her sign says “Don’t forget: White women voted for Trump.”⁵ While she sucks on a lollipop and gazes coolly off-camera, the women around her stare at their phones

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1. *Sister Marches*, WOMEN’S MARCH ON WASHINGTON, <https://www.womensmarch.com/sisters> [<http://perma.cc/X5UR-86HA>]; Tim Wallace & Alicia Parlapiano, *Crowd Scientists Say Women’s March in Washington Had 3 Times as Many People as Trump’s Inauguration*, N.Y. TIMES (Jan. 22, 2017), <https://www.nytimes.com/interactive/2017/01/22/us/politics/womens-march-trump-crowd-estimates.html> [<https://perma.cc/ZR4J-YEUP>].

2. *Sister Marches*, *supra* note 1. See also Mary Bowerman, *There’s even a Women’s March in Antarctica*, USA TODAY (Jan. 21 2017), <https://www.usatoday.com/story/news/politics/onpolitics/2017/01/21/womens-march-on-washington-antarctica/96882184> [<http://perma.cc/76CL-YWTY>]; Kiersten Schmidt & Sarah Almkhatar, *Where Women’s Marches Are Happening Around the World*, N.Y. TIMES (Jan. 20, 2017), https://www.nytimes.com/interactive/2017/01/17/us/womens-march.html?_r=0 [<http://perma.cc/KR2N-EUU4>].

3. Matt Broomfield, *Women’s March against Donald Trump is the largest day of protests in US history, say political scientists*, INDEPENDENT (Jan. 23, 2017), <http://www.independent.co.uk/news/world/americas/womens-march-anti-donald-trump-womens-rights-largest-protest-demonstration-us-history-political-a7541081.html> [<http://perma.cc/G5DN-5THW>].

4. Alia E. Dastagir, *Why this women’s march photo is such a big deal*, USA TODAY (Jan. 25, 2017), <https://www.usatoday.com/story/news/nation/2017/01/25/angela-peoples-womens-march-washington-viral-photo/97062400> [<http://perma.cc/HS2X-ZGRZ>].

5. *Id.*

and pose for pictures.⁶ The picture vividly demonstrates the dissonance between America's mainstream feminist and civil rights movements, a juxtaposition further illuminated by the success of the Women's March.

This divide has a long history, and there is a wealth of scholarship examining how race shapes women's experiences and discussing the importance of intersectional feminism.⁷ Feminism has historically been White-centered, while civil rights discourse largely pertains to men of color.⁸ The theories of "intersectionality" and Critical Race Feminism arose as a response to this discordance.⁹ These theories offer a critical perspective of the interplay of race, gender, and class for women of color in a patriarchal, racist system.¹⁰ For modern feminism to survive, it must adapt to include the significant group of people who are presently excluded by "White feminism"—those who are both women and members of racial and ethnic minorities, as well as those who are economically disadvantaged; it must fully embrace intersectionality.

This Comment does not offer a new justification of the importance of intersectional feminism, nor does it aim to highlight the shortcomings of the Women's March. Instead, it uses the Women's March as a case study to highlight the role of women in protest, and more specifically, the importance of White women's future participation in intersectional movements. First, it examines the origins and critiques of the Women's March to demonstrate the growing resistance from women of color to "White feminism." Next, it argues that the reformed platform of the Women's March is reflective of a paradigmatic shift in modern feminism to embrace intersectionality and further asserts that this shift must be complemented by genuinely inclusive actions, such as supporting causes like Black Lives Matter. Lastly, it argues that the success of the Women's March demonstrates that White women have the privilege to protest without fear

6. *Id.*

7. For a primer, see Kimberlé Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 STAN. L. REV. 1241 (1993). Although Professor Crenshaw coined the term intersectionality, other legal scholars have published seminal legal works analyzing the interaction between race, gender, and the law. See Regina Austin, *Sapphire Bound!*, 1989 WISC. L. REV. 539 (1989); Paulette M. Caldwell, *A Hair Piece: Perspectives on the Intersection of Race and Gender*, 1991 DUKE L. J. 365 (1991); Angela P. Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. 581 (1990).

8. See, e.g., Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1989 U. CHI. LEGAL F. 139, 156–57 (1989).

9. See *id.*

10. See CRITICAL RACE FEMINISM: A READER 4 (Adrienne Katherine Wing, e.d., 1997).

of state violence and contends that this privilege should be used to support women of color.

I. ORIGINS AND CRITIQUES OF THE WOMEN'S MARCH

The Women's March emerged from a small event created on Facebook by frustrated women.¹¹ That event was then spread through social media until it snowballed into a worldwide movement.¹² While the March advanced several objectives, it was largely an outward expression of the frustration, heartache, and anger many felt following the contentious 2016 presidential election.¹³ Although modern technology contributed to the record-setting participation in the Women's March and the concurrent marches held worldwide,¹⁴ the unprecedented turnout was largely a response to a call for unity and solidarity of all women. In America, "womanhood" has traditionally been equated with "White womanhood," and the call to put "womanhood" above all else has often resulted in the concerns of White middle-class or upper-class women being prioritized above all else.¹⁵

The tendency of feminism to center around predominantly "White" issues at the exclusion of others has been persistently critiqued. Mainstream conversations about gender equality often overlook how discrimination disproportionately impacts women of color. For example, while White women obtained the right to vote in 1920, most Black women were unable to vote until decades later.¹⁶ White women earn eighty-two cents for every dollar earned by White men, but Black women only earn sixty-five cents to every dollar.¹⁷ A quarter of Hispanic women lack health insurance, compared to just

11. Christina Cauterucci, *Getting the Women's March on Washington on the Road*, SLATE (Nov. 23, 2016), http://www.slate.com/articles/life/doublex/2016/11/the_women_s_march_on_washington_faces_uncertain_logistics_on_inauguration.html [<http://perma.cc/N29P-2NSX>].

12. *Id.*

13. *Id.*

14. *Id.*

15. Karen Grigsby Bates, *Race And Feminism: Women's March Recalls The Touchy History*, NPR (Jan. 21, 2017, 9:22 PM), <http://www.npr.org/sections/codeswitch/2017/01/21/510859909/race-and-feminism-womens-march-recalls-the-touchy-history> [<http://perma.cc/S28D-3QLA>].

16. *Woman's Suffrage Timeline*, NAT'L WOMEN'S HISTORY MUSEUM, <https://www.nwhm.org/resources/timeline/womans-suffrage-timeline> [<http://perma.cc/A2WK-4FK4>]; Radhika Sanghani, *The uncomfortable truth about racism and the suffragettes*, TELEGRAPH (Oct. 6, 2015, 5:13 PM), <http://www.telegraph.co.uk/women/womens-life/11914757/Racism-and-the-suffragettes-the-uncomfortable-truth.html> [<https://perma.cc/9PQC-DUQ9>].

17. Eileen Patten, *Racial, gender wage gaps persist in U.S. despite some progress*, PEW RESEARCH CTR. (JULY 1, 2016), <http://www.pewresearch.org/fact-tank/2016/07/01/racial-gender-wage-gaps-persist-in-u-s-despite-some-progress> [<http://perma.cc/33MP-LDXF>].

thirteen percent of White women.¹⁸ Additionally, around seventy-two percent of trans people murdered in the United States are women of color.¹⁹ Nevertheless, modern feminism often fails to acknowledge these disparities, which can lead to the othering and exclusion of women of color.

The Women's March was criticized as being a product of this feminism—still predominantly White, able-bodied, and cis-centered.²⁰ Shortly after its inception, critics of the March began raising concerns about its exclusion and erasure of people of color.²¹ In response to those critiques, the organizers broadened the platform to address a variety of issues, including immigration reform, health-care reform, reproductive rights, LGBTQ rights, racial inequality, freedom of religion, and workers' rights.²² However, for some, the damage had already been done—many women of color decided not to support the Women's March and those who did chose to do so despite reservations.²³ This backlash underscores women of color's growing resentment towards a theory of feminism that does not encompass *all* women's issues.

Both the Women's March and Black Lives Matter were founded by women who felt angry, disillusioned, and helpless against a system that does not equally enforce the political, social, and economic rights of its members.²⁴ Women from all walks of life showed up to the

18. *NWLC Analysis of 2014 Census Poverty Data*, NAT'L WOMEN'S LAW CTR., <https://nwlc.org/resources/nwlc-analysis-2014-census-poverty-data> [<http://perma.cc/8FER-4GMV>].

19. Meredith Talusan, *Documenting trans homicides*, MIC (Dec. 8, 2016), <https://mic.com/unerased> [<http://perma.cc/5KZE-5EXD>].

20. See, e.g., Jenna Wortham, *Who Didn't Go to the Women's March Matters More Than Who Did*, N.Y. TIMES (Jan. 24, 2017), <https://www.nytimes.com/2017/01/24/magazine/who-didnt-go-to-the-womens-march-matters-more-than-who-did.html> [<http://perma.cc/R7PF-R5ZS>].

21. For example, it was contended that the core organizers of the March co-opted the original march name from historic marches organized by Black people (like the 1963 March on Washington and the 1997 Million Woman March) and ignored concerns about a lack of inclusion of women of color and LGBTQ people in core leadership roles. Brittany Oliver, *Why I Do Not Support the Women's March on Washington*, BRITTANY T. OLIVER BLOG (Nov. 16, 2016), <http://www.brittanytoliver.com/blog/2016/11/16/why-i-do-not-support-the-one-million-women-march-on-washington> [<http://perma.cc/BE6F-NKMX>].

22. *Mission and Vision*, WOMEN'S MARCH, <https://www.womensmarch.com/mission> [<http://perma.cc/UZB7-86DX>].

23. See, e.g., Lavanya Ramanathan, *Was the Women's March just another display of white privilege? Some think so*, WASH. POST (Jan. 24, 2017), https://www.washingtonpost.com/lifestyle/style/was-the-womens-march-just-another-display-of-white-privilege-some-think-so/2017/01/24/00bbdcca-e1a0-11e6-a547-5fb9411d332c_story.html?utm_term=.a8bcac09c866 [<http://perma.cc/E6CE-7MMM>]; Jessica Xiao, *The White Feminism of the Women's March is Still on My Mind*, EXTRANEWSFEED (Mar. 6, 2017), <https://extranewsfeed.com/what-is-white-feminism-8f376360a59> [<http://perma.cc/XB7T-4UYG>].

24. Like the Women's March, the Black Lives Matter movement (BLM) was created through social media by frustrated women in the face of ongoing injustice. It was both

Women's March in an act of resistance against this violence.²⁵ Yet, women of color are often left standing alone on their own front lines. The position of the White feminist movement is clear—all women are expected to be feminist, but not all feminists support all women. This position must change if either movement is to survive.

II. TRUE INTERSECTIONAL FEMINISM MUST BE CONTINUOUSLY DEMONSTRATED BY ALLIES

The Women's March advocated for legislation and policies addressing a breadth of women's issues and demonstrated a cultural shift towards a more inclusive feminism,²⁶ but that show of intersectional solidarity should not end with the March. Instead, it must be continually demonstrated through genuine allyship with marginalized groups. This allyship requires that White women recognize their shared struggle to resist state violence in every manifestation and acknowledge their role in perpetuating this violence against marginalized groups, whether intentional or not.²⁷ It requires that White women continue to show up to support intersectional movements and use their privilege to amplify these causes.

State violence manifests itself in some obvious ways, such as in the disproportionate impact of police brutality on Black and Brown communities.²⁸ There are also more insidious forms of state violence, such as the hyper-regulation of women's bodies and reproductive

a call to action and a response to anti-Black racism and grew into a national organization working for the validity of Black life and all Black people. The most common critique of Black Lives Matter is that the movement excludes or devalues non-Black people. This critique is a strawman. The purpose of BLM has always been to call attention to the assault on Black livelihood in all forms, not to detract from the importance of other's lives. It is a response to social movements that have ignored intersectional concerns and to people who will march to protect some people's rights but not everyone's.

25. See, e.g., Ramanathan, *supra* note 23.

26. See Wortham, *supra* note 20.

27. There is a long, well-documented history of violence against Black people, particularly Black men, in the name of protecting White women. It is evidenced by historic, propaganda films like *Birth of a Nation* and recent tragedies, like the racially motivated murder of nine Black churchgoers in Charleston, South Carolina (in which Dylann Roof reportedly told his victims "you rape our women, and you're taking over our country, and you have to go.") See, e.g., Janelle Bouie, *The Deadly History of "They're Raping Our Women,"* SLATE (June 18, 2015, 2:22 PM), http://www.slate.com/articles/news_and_politics/history/2015/06/the_deadly_history_of_they_re_raping_our_women_racists_have_long_defended.html [<http://perma.cc/D8H9-6ZPU>]. See also Richard Pérez-Peña, *Woman Linked to 1955 Emmett Till Murder Tells Historian Her Claims Were False*, N.Y. TIMES (Jan. 27, 2017), <https://www.nytimes.com/2017/01/27/us/emmett-till-lynching-carolyn-bryant-donham.html> [<http://perma.cc/H5KW-3YU9>].

28. See NWLC *Analysis of 2014 Census Poverty Data*, *supra* note 18.

choices, the ongoing wage gap between men and women, and the perpetuation of rape culture through the unequal enforcement of legal consequences.²⁹ This violence is a clear affront to basic human rights, but somehow the violence against Black people has been carved out as separate from other forms of state violence and has been normalized in modern society. According to one study, police killed at least 309 Black people in the United States in 2016.³⁰ Black people are three times more likely to be killed by police than White people,³¹ but ninety-nine percent of the cases of police violence in 2015 did not result in an involved officer being convicted of a crime.³² These numbers are not new or surprising to most people, yet the connection between this supposed “civil rights” issue and modern feminism is often overlooked.

Black women and children are frequently the victims of police violence.³³ Reports suggest that Black women are victimized in similar ways as Black men through police violence, random stops, racial profiling, and targeting of poor, disabled, and trans women.³⁴ Black women also face gender-specific risks from police encounters, such as an increased likelihood of sexual harassment and assault, thereby further conflating issues of race and gender.³⁵ However, even within the Black Lives Matter movement the victimization of these women is less protested.³⁶ For example, although the story of Sandra Bland was widely publicized, there are so many other unknown Black women who have been victimized at the hands of law enforcement that a second campaign, #SayHerName, has arisen in response.³⁷ The parallel

29. See, e.g., Clare Kelly, *How State Laws Perpetuate Rape Culture*, ODYSSEY (May 3, 2016), <https://www.theodysseyonline.com/how-state-laws-perpetuate-rape-culture> [http://perma.cc/JB4K-UARB].

30. MAPPING POLICE VIOLENCE, <https://mappingpoliceviolence.org> [http://perma.cc/KV2C-WWZE].

31. *Id.*

32. *Id.*

33. Marcia Chatelain & Kaavya Asoka, *Women and Black Lives Matter: An Interview with Marcia Chatelain*, DISSENT MAG. (2015), <https://www.dissentmagazine.org/article/women-black-lives-matter-interview-marcia-chatelain> [http://perma.cc/B3SN-F3S3].

34. *Id.*

35. Most recently, Oklahoma County officer Daniel Holtzclaw was convicted of committing numerous sex crimes against thirteen different African Americans in the low-income neighborhood he patrolled. Sarah Larimer, *Disgraced ex-cop Daniel Holtzclaw sentenced to 263 years for on-duty rapes, sexual assaults*, WASH. POST (Jan. 22, 2016), https://www.washingtonpost.com/news/post-nation/wp/2016/01/21/disgraced-ex-officer-daniel-holtzclaw-to-be-sentenced-after-sex-crimes-conviction/?utm_term=.8140815f7374 [http://perma.cc/BC3L-NVES].

36. Lilly Workneh, #SayHerName: Why We Should Declare That Black Women and Girls Matter, Too, HUFFINGTON POST (Jan. 29, 2016), http://www.huffingtonpost.com/2015/05/21/black-women-matter_n_7363064.html [http://perma.cc/2QAH-LMWP].

37. The campaign #SayHerName was created by Kimberlé Crenshaw to raise awareness about the number of Black women and girls killed by law enforcement officers. *Id.*

is clear—although Black women’s challenges are exacerbated by police violence, all women share a common struggle to have their livelihoods legitimized in this patriarchal society.

The reformed agenda of the Women’s March reflects an understanding of the need for an intersectional platform to address these concerns. It suggests a paradigmatic shift away from White-centered feminism, but this progressive step will only have meaning if the mainstream feminists behind the March invest their relative privilege to support the “marches” of marginalized communities.

III. THE COLLECTIVE POWER OF (WHITE) WOMEN

During the Women’s March, nearly two million people marched in Washington, D.C., Chicago, Los Angeles, New York City, and Seattle, and not a single arrest was made.³⁸ This display of privilege, specifically of White privilege, is stunning. Protesters gathered and marched in some of the most densely populated, diverse cities—where incidents of police brutality are most frequent—and not a single person was arrested.³⁹ By contrast, a simple Google search reveals hundreds of unarmed, non-violent Black Lives Matter protesters arrested nationwide during the height of the protests in 2016.⁴⁰ Where Black Lives Matter protesters have been met with SWAT teams in riot gear armed with tear gas and rubber bullets, Women’s March protesters were welcomed by cheerful officers willing to take selfies and march alongside them.⁴¹

The importance of this contrast cannot be overstated. It is not simply that White women were able to congregate so broadly across

38. Kriston Capps, *Millions of Marchers, Zero Arrests*, CITYLAB (Jan. 22, 2017), <https://www.citylab.com/equity/2017/01/no-arrests-at-womens-march-in-dc-los-angeles-new-york-chicago-austin-seattle/514067> [<http://perma.cc/P65N-RJTK>]; Rachel Sadon, *D.C. Police Made No Arrests At The Women’s March On Washington*, DCIST (Jan. 22, 2017), http://dcist.com/2017/01/womens_marchers_police.php [<http://perma.cc/3AUA-JLTE>].

39. See Sadon, *supra* note 38.

40. See, e.g., Fenit Nirappil, Wesley Lowery, Robert Samuels, & T. Rees Shapiro, *Black Lives Matter leader DeRay Mckesson released after being held in Baton Rouge on a night of tension and protests*, WASH. POST (July 10, 2016), https://www.washingtonpost.com/news/morning-mix/wp/2016/07/10/arrest-of-activist-deray-mckesson-fuels-online-outrage-at-end-of-difficult-week/?utm_term=.f3ee0ca6d86b [<http://perma.cc/4NNS-H4RL>].

41. A certain image is called to mind. It is of Ieshia Evans facing two officers in riot gear barreling towards her as she stands peacefully in the middle of a street. A Twitter user contrasted it with a picture of police officers in pink “pussyhats” posing alongside a Women’s March participant. The caption reads “No caption necessary.” See #BlackAugust (@BlackAutonomist), TWITTER (Jan. 23, 2017, 5:16 AM), <https://twitter.com/BlackAutonomist/status/823519690676981761> [<http://perma.cc/BL5T-AMU8>].

so many states and countries worldwide. Their congregation shows the collective power of White women and their ability to attract broad consensus to a feminist platform. More importantly though, the Women's March exemplifies a privilege to congregate peacefully and without threat of violence, a privilege that has historically been extended to marches centered around White feminism but denied to other marginalized protesters.⁴² Because White women are often given the benefit of the doubt and protected by the legal and judicial systems, this privilege is particularly salient in the context of peaceful protests.⁴³ For example, although there are few discernable differences between the Women's March and the Black Lives Matter movement, the state's response to both is vastly different. The violent policing tactics deployed against Black Lives Matter protesters pose a significant threat to their livelihood.⁴⁴ As such, White women should support Black Lives Matter and other similar movements because they can lend much-needed protection to participants in these movements.⁴⁵ When White women gather, no one gears up for a riot, the state does not respond with violence, and the situation rarely escalates.⁴⁶ They should recognize this privilege and use it to help amplify the causes of marginalized people.

42. Compare the police response to protests for Planned Parenthood and gay rights with police response to Black Lives Matter protests and Civil Rights protests. *See, e.g., Dueling Protests Over Planned Parenthood, Abortion Access Erupt Across U.S.*, NBC (Feb. 11, 2017, 4:14 PM), <http://www.nbcnews.com/news/us-news/dueling-protests-over-planned-parenthood-abortion-rights-erupt-across-u-n719791> [<http://perma.cc/Y9Z2-KWFR>] (police officers guided protesters non-violently despite "dueling protests"); Lila Shapiro, *Gay Marriage Rallies Outside Supreme Court Display Sharp Differences on LGBT Rights*, HUFFINGTON POST (Mar. 26, 2013, 8:41 PM), http://www.huffingtonpost.com/2013/03/26/gay-marriage-rallies_n_2959035.html [<http://perma.cc/8JUZ-F2G2>] (police officers were present to keep opposing groups of protesters separate, but were non-violent); Corky Siemaszko, *Birmingham erupted into chaos in 1963 as battle for civil rights exploded in South*, DAILY NEWS (May 3, 2012, 9:26 AM), <http://www.nydailynews.com/news/national/birmingham-erupted-chaos-1963-battle-civil-rights-exploded-south-article-1.1071793> [<http://perma.cc/97AH-EK5E>].

43. Of course, this statement is not necessarily true regarding other manifestations of state violence. For example, the benefit of the doubt and legal protections are rarely extended to women when discussing sexual assault. This can be analogized to the treatment of Black people in the United States criminal justice system. As women call on male allies to identify and disrupt rape culture, women of color call on White women to help resist state violence against Black bodies.

44. *See* MAPPING POLICE VIOLENCE, *supra* note 30.

45. This should not be construed as justifying or lending any legitimacy to the "White savior" narrative. Allyship requires recognizing one's privilege but not utilizing it to wield power or control over a marginalized group. There is a distinct difference between recognizing that White women are afforded the benefit of protection while protesting and asking White women to come to "the rescue of" people of color.

46. *See, e.g.,* Shapiro, *supra* note 42.

CONCLUSION

Intersectional feminism is a powerful weapon. Feminism that is centered around White-womanhood ignores a vast population of women, and as a result, it loses power. All women are victims of state violence in some form, and truly intersectional feminism should resist all forms of state violence. Furthermore, all women should support movements like Black Lives Matter because police violence *is* a women's issue. It impacts the livelihood of thousands of Black and Brown women,⁴⁷ and therefore, it deserves the same attention, the same outrage, and the same collective energy as the Women's March. White women, in particular, should support such movements because they are afforded a privilege that many others are not—the privilege of being protected when congregating in protest. That privilege, when recognized and properly wielded by allies to support marginalized people, can help women of color to advance their causes in a meaningful way.

Finally, modern feminists must continue to fight for the margins, as well as the center, if they wish to truly empower *all* women and create lasting change. The Women's March showed the world that five million people can rally behind a cause.⁴⁸ Modern feminists must capitalize on that energy and truly embrace intersectionality because five million women in protest could end state violence. Five million women standing in solidarity could change the world.

47. See MAPPING POLICE VIOLENCE, *supra* note 30.

48. See *Sister Marches*, *supra* note 1.

